

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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OSVALDO PATRIZZI,

: Docket No. 11-CV-2386 (PAE)

Plaintiff,

: NOTICE OF MOTION  
FOR SANCTIONS AGAINST

- against -

: PLAINTIFFS' COUNSEL  
PURSUANT TO RULE

BOURNE IN TIME, INC., ANTIQUORUM S.A.,  
ANTIQUORUM USA, INC., EVAN ZIMMERMANN,  
and WILLIAM ROHR,

: 11(C)(2) OF THE FEDERAL  
RULES OF CIVIL PROCEDURE

:

Defendant,

:

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C O U N S E L:

PLEASE TAKE NOTICE that, upon the annexed declaration of Jason Canales, Esq., sworn to on the 16<sup>th</sup> day of October, 2012, and all of the pleadings and proceedings heretofore had herein, the undersigned hereby moves this Court for an Order, pursuant to Fed. R. Civ. P. Rule 11, awarding appropriate monetary sanctions against Plaintiff's attorneys, Michael A. Haskel, Esq. and Kerry Gotlib, Esq., for commencing and maintaining purported claims against the Defendants which (i) were presented for improper purposes – *to wit*, to publicize the action so as to gain a competitive advantage over the Defendants and/or to attempt to compel the Defendants to compromise other pending actions; (ii) are not warranted by existing law or a nonfrivolous argument for extending, modifying or reversing existing law; and (iii) were brought primarily to harass the Defendants and cause them to incur unnecessary litigation expenses.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 6.1 of the Local Civil Rules for the Southern and Eastern Districts of New York, answering papers, if any, must be served within fourteen (14) business days after the service of these moving papers.

Dated: October 16, 2012

**MOSES & SINGER LLP**

By:   
Jason Canales (JC9692)

*Attorneys for Defendants*  
The Chrysler Building  
405 Lexington Avenue  
New York, NY 10174-1299  
Telephone: (212) 554-7875

TO: MICHAEL A. HASKEL, ESQ.  
Law Offices of Michael A. Haskel  
167 Willis Avenue  
Mineola, NY 11501

KERRY GOTLIB, ESQ.  
80 Fifth Avenue, 12<sup>th</sup> Floor  
New York, NY 10002